

## Process Servers, Court and Clerk's Office Information and Exchange Presentation

April 16, 2008

Minutes

### Welcoming Remarks

- Mr. Michael K. Jeanes, Clerk of the Superior Court, welcomed the group to the meeting. The meeting started at 12:05. **The next quarterly meeting is scheduled for July 30th, 2008 at 12:00** and will be held here at the Clerk's office, located in the Downtown Justice Center, 620 West Jackson, in the 2<sup>nd</sup> floor CTS Training Room Suite 2083. Parking is available in the parking structure across the street at 601 West Jackson. There was some discussion on when the last meeting had taken place; the minutes show it to be October 16, 2007 as the last scheduled meeting for January 16, 2008 had been canceled. The Updated 2008 meeting calendar is available on the Clerk's Internet site at:

[http://www.clerkofcourt.maricopa.gov/process\\_svr.asp](http://www.clerkofcourt.maricopa.gov/process_svr.asp)

### eFile and ECR Online Update

- Mr. Jeanes provided an update on continuing eFile initiatives and the Clerk's Electronic Court Record ECR Online. Mr. Jeanes has discussed the option of mandating eFiling with the Chief Justice requesting to make it mandatory for all Attorneys filing subsequent documents. The Chief Justice had asked for feedback from the State Bar and County Bar. This was done by several avenues; one way was an online questionnaire that was established. Results have been very positive in favor of all subsequent documents being eFiled. IF the Chief Justice were to sign an Order the effective date would be six months from signature. This will allow the legal community time to prepare; there is no order or date set at this time.

The ECR Online is now available to all Attorneys where they are the Attorney of Record assigned to the case. Registration is easily done at;

<https://ecr.clerkofcourt.maricopa.gov/login.aspx>

This application does also allow Pro Per customers to view their documents but they must be a party to the case to view the documents online. As always public court documents will be available at the Public Records areas at all locations. The ECR Online is linked to the Motor Vehicle Department Drivers License database and all parties registering must have to have a valid AZ driver's license to register on-line.

*Question:* Will the web site ever allow attorneys to view other cases online?

*Answer:* Mr. Jeanes explained this probably won't happen in the foreseeable future.

### Budget Status Update

- The State and County budget woes were discussed. The Clerk of the Superior Court currently has 780 positions and we have 84 vacancies. These positions will not be filled in the near future and it will be challenging to continue providing an acceptable level of service. Service levels will probably decline in the future.

*Question:* What type of notice or severance package is given to the employees that are laid off?

*Answer:* Mr. Jeanes stated that the County does have a 30 day assisted search for employment and 30 days of benefits for the people who may be laid off.

*Question:* How is the lay off process accomplished?

*Answer:* Mr. Jeanes explained that this procedure would not be appropriate to discuss in this venue.

## **Depository Box Update**

- The current night depository box located in the Madison Street Parking Garage, on 1<sup>st</sup> Avenue and Madison will be moved once the construction starts on the Criminal Tower which is scheduled to begin sometime in September 2008. The new location for the night depository box is still undecided; we want the new location to be accessible with parking and security for the employee as well as the customers. At this time the new Criminal Tower is expected to go forward.

*Question:* There's a rumor that the Northwest Regional Court was going to close, is there any truth to that? *Answer:* Mr. Jeanes stated "None at all".

*Question:* For the outlying regional Justice Courts, not all buildings have Night Depository boxes is there any plan on making those available everywhere?

*Answer:* Honorable Judge Goodman responded stating that he believed that only the San Tan and the Downtown Justice Center buildings did not have night depository boxes and that at this time the budget item for the additional boxes had not been approved.

## **NEW Civil Cover Sheet**

- Mr. Jeanes announced the topic and Lauri Thomas reviewed the information, a new Civil cover sheet has been posted at the Self Service Center and on the COC website. The Clerk of the Superior Court has been working on the likelihood of a mandatory date for the use of the newest Civil Cover Sheet. The new cover sheet was available as a handout. In the future there will be a change requiring all Counties to use standardized cover sheets. There is currently a Rule 28 petition up for comment regarding changes to the Civil Rules to require the new coversheet.

## **New Sensitive Data Sheet in FC cases**

- Mr. Jeanes discussed the new Sensitive Data sheet that has been established due to Administrative Order 2008-021 Lauri Thomas explained the process at the filing counter for a new Family Court case and indicated that if a Sensitive Data sheet is not with the initial filing the filing will not be accepted. The Sensitive Data Sheet will be required beginning April 28, 2008.

## **Process Server Renewal**

- Mr. Jeanes apologized for Melanie Fay who was unable to attend and briefly reviewed the change for Process Server renewal. The change in process is each time a renewal is submitted for renewing a Process Server license new finger prints will be required.

Mr. Jeanes opened the floor to questions;

*Question:* About the change of location for this meeting, the signage was not sufficient. Many were confused on where to go. Could we get more explicit signs?

*Answer:* Mr. Jeanes explained there had been a change from the 3<sup>rd</sup> floor Training room to the 2<sup>nd</sup> floor Training room to give the group more room as we had overflowed the room at the last meeting. We will provide more signs in the future.

*Question:* Concerning the change on the SE Regional Court entrances, can there be parking available by the Depository Box?

*Answer:* That may be a possibility the request would be looked into.

*Question:* How will we as Process Servers know when the changes happen on the Depository Box?

*Answer:* There will be a notice posted on the web site, just keep checking there.

<http://www.clerkofcourt.maricopa.gov/>

*Question:* In a previous meeting the request was made if a photo of the person they must serve could be made available to the Process Servers from the clerk's office, court or MVD; Will this be possible?

*Answer:* Mr. Jeans had looked into the matter with the MVD and it did not seem likely.

Question: without a photo, sometimes the only way to know this is the correct person is to catch up with the party in court. Could the Justice courts work with process servers to make this a possibility?

*Answer:* Honorable Judge Goodman responded, each Judge would have different rules but as a whole you cannot accomplish service in the court room without a Judge's permission.

Judge Goodman explained with the recent change in the Admin Order regarding the Justice Courts they are no longer under the Superior Court. There will be changes up coming as the Justice Courts view this as a divorce from Superior court. He indicated that he would be available if there were other questions.

Mr. Jeanes explained that with any issues that come up he is accessible everyone can always call or email, himself at [MKJeans@COSC.maricopa.gov](mailto:MKJeans@COSC.maricopa.gov) or Lauri Thomas at [LThomas@COSC.maricopa.gov](mailto:LThomas@COSC.maricopa.gov) they will always try to resolve any problems as quickly as possible.

- Having no additional items, the meeting was adjourned at 1:00 P.M.

THE NEXT REGULAR MEETING IS SCHEDULED:

**UPDATED DATE**

**Wednesday, July 30, 2008 from 12:00 – 1:00 PM**

**620 WEST Jackson – 2nd FLOOR- CTS TRAINING ROOM #2083**

Handouts provided at this meeting were as follows:

Select one of the two links for each below

Administrative Order; 08-021:

<http://Adminorders/2008/08-021.pdf>

<http://www.superiorcourt.maricopa.gov/SuperiorCourt/AdministrativeOrders/docs/ao2008-021.pdf>

New Civil Cover Sheet:

<http://www.clerkofcourt.maricopa.gov/faxondemand/204.pdf>

<http://www.superiorcourt.maricopa.gov/sscDocs/pdf/cv10f.pdf>